

TEMPORARY

AMENDED

Serial No. 58523

T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 4 - 1993
 Returned to applicant for correction FEB 19 1993
 Corrected application filed APR 19 1993 Map filed APR 19 1993

The applicant Don H & Joy M Tibbals (Weed Heights Development)
2 Austin Drive of Weed Heights, Yerington
Street and No. or P.O. Box No. City or Town
Nevada 89447 hereby make application for permission to change the
State and Zip Code No.
Point of diversion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit no. 57106
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 2.22 cfs (130.93 Million Gallons annually)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi municipal purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for quasi municipal purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
T13N R25E M.D.M., from which point the West $\frac{1}{4}$ corner of said Section 28
bears South 68° 35' 10" West a distance of 3670.33 feet.
- The existing permitted point of diversion is located within the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28
If point of diversion is not changed, do not answer.
T13N R25E M.D.M., from which point the West $\frac{1}{4}$ corner of said section 28
bears North 80° 47' 03" West a distance of 2845.77 feet.
- Proposed place of use Portions of SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17; NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, all in Township 13 North
Range 25 East, M.D.M.
- Existing place of use same
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well pipelines and tanks
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$100,000.00
- Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use..... 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

259 residential units, Recreational area, parks and supporting commercial businesses

By..... s/ George H Denson
George H Denson, Agent
24 Austin St.
Yerington, Nevada 89447

Compared..... ab/ se ab/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 57106 is issued subject to the terms and conditions imposed in said Permit 57106 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 57112 and 58523-T shall not exceed 130.93 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 2.22cubic feet per second, but not to exceed 130.93 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this..... 24thday of..... September
A.D. 19..... 93

Christine Thiel
By: Christine Thiel, P.E. State Engineer
Deputy State Engineer

EXPIRED
DATE SEP 23 1994

(PERMIT TERMS CONTINUED)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 23, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.